

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

SHERLYNN J. L. BARTELS-SCHERER
P.O. Box 713195
Santee, CA 92072

Registered Nursing License No. 583969

Respondent.

Case No. 2007-130

OAH No. L-2007020360

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on JUNE 14, 2008.

It is so ORDERED MAY 18, 2008.



FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

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of the State of California
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9 Attorneys for Complainant

10 **BEFORE THE**
BOARD OF REGISTERED NURSING
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

14 SHERLYNN J. L. BARTELS-SCHERER
P.O. Box 713195
15 Santee, CA 92072

16 Registered Nursing License No. 583969

17 Respondent.
18

Case No. 2007-130

OAH No. L-2007020360

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
20 above-entitled proceedings that the following matters are true:

21 PARTIES

22 1. Ruth Ann Terry, M.P.H, R.N (Complainant) is the Executive Officer of
23 the Board of Registered Nursing. She brought this action solely in her official capacity and is
24 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
25 by Rita M. Lane, Deputy Attorney General.

26 2. Respondent Sherlynn J. L. Bartels-Scherer (Respondent) is represented in
27 this proceeding by attorney Charles Quirk, whose address is 12526 High Bluff Drive, Suite 300
28 San Diego, CA 92130.

3. On or about July 25, 2001, the Board of Registered Nursing issued Registered Nursing License No. 583969 to Respondent. The Nursing License was in full force and effect at all times relevant to the charges brought in Accusation No. 2007-130 and will expire on August 31, 2009, unless renewed.

JURISDICTION

4. Accusation No. 2007-130 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on November 21, 2006. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2007-130 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, discussed with counsel, and fully understands the charges and allegations in Accusation No. 2007-130. Respondent has also carefully read, discussed with counsel, and fully understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2007-130.

1 9. Respondent agrees that her Registered Nursing License is subject to
2 discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the
3 Disciplinary Order below.

4 CONTINGENCY

5 10. This stipulation shall be subject to approval by the Board of Registered
6 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the
7 Board of Registered Nursing may communicate directly with the Board regarding this stipulation
8 and settlement, without notice to or participation by Respondent or her counsel. By signing the
9 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
10 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
11 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
12 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
13 action between the parties, and the Board shall not be disqualified from further action by having
14 considered this matter.

15 OTHER MATTERS

16 11. The parties understand and agree that facsimile copies of this Stipulated
17 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
18 force and effect as the originals.

19 DISCIPLINARY ORDER

20 In consideration of the foregoing admissions and stipulations, the parties agree
21 that the Board may, without further notice or formal proceeding, issue and enter the following
22 Disciplinary Order:

23 IT IS HEREBY ORDERED that Registered Nursing License No. 583969 issued
24 to Respondent Sherlynn J. L. Bartels-Scherer is revoked. However, the revocation is stayed and
25 Respondent is placed on probation for three (3) years on the following terms and conditions.

26 **Severability Clause.** Each condition of probation contained herein is a separate
27 and distinct condition. If any condition of this Order, or any application thereof, is declared
28 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other

1 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
2 and enforceable to the fullest extent permitted by law.

3 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws.
4 A full and detailed account of any and all violations of law shall be reported by Respondent to
5 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
6 compliance with this condition, Respondent shall submit completed fingerprint forms and
7 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
8 as part of the licensure application process.

9 **Criminal Court Orders:** If Respondent is under criminal court orders, including
10 probation or parole, and the order is violated, this shall be deemed a violation of these probation
11 conditions, and may result in the filing of an accusation and/or petition to revoke probation.

12 2. **Comply with the Board's Probation Program.** Respondent shall fully
13 comply with the conditions of the Probation Program established by the Board and cooperate
14 with representatives of the Board in its monitoring and investigation of the Respondent's
15 compliance with the Board's Probation Program. Respondent shall inform the Board in writing
16 within no more than 15 days of any address change and shall at all times maintain an active,
17 current license status with the Board, including during any period of suspension.

18 Upon successful completion of probation, Respondent's license shall be fully
19 restored.

20 3. **Report in Person.** Respondent, during the period of probation, shall
21 appear in person at interviews/meetings as directed by the Board or its designated
22 representatives.

23 4. **Residency, Practice, or Licensure Outside of State.** Periods of
24 residency or practice as a registered nurse outside of California shall not apply toward a reduction
25 of this probation time period. Respondent's probation is tolled, if and when she resides outside
26 of California. Respondent must provide written notice to the Board within 15 days of any change
27 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
28 returning to practice in this state.

1 Respondent shall provide a list of all states and territories where she has ever been
2 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
3 provide information regarding the status of each license and any changes in such license status
4 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
5 new nursing license during the term of probation.

6 5. **Submit Written Reports.** Respondent, during the period of probation,
7 shall submit or cause to be submitted such written reports/declarations and verification of actions
8 under penalty of perjury, as required by the Board. These reports/declarations shall contain
9 statements relative to Respondent's compliance with all the conditions of the Board's Probation
10 Program. Respondent shall immediately execute all release of information forms as may be
11 required by the Board or its representatives.

12 Respondent shall provide a copy of this Decision to the nursing regulatory agency
13 in every state and territory in which she has a registered nurse license.

14 6. **Function as a Registered Nurse.** Respondent, during the period of
15 probation, shall engage in the practice of registered nursing in California for a minimum of 24
16 hours per week for 6 consecutive months or as determined by the Board.

17 For purposes of compliance with the section, "engage in the practice of registered
18 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
19 work in any non-direct patient care position that requires licensure as a registered nurse.

20 The Board may require that advanced practice nurses engage in advanced practice
21 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
22 Board.

23 If Respondent has not complied with this condition during the probationary term,
24 and Respondent has presented sufficient documentation of her good faith efforts to comply with
25 this condition, and if no other conditions have been violated, the Board, in its discretion, may
26 grant an extension of Respondent's probation period up to one year without further hearing in
27 order to comply with this condition. During the one year extension, all original conditions of
28 probation shall apply.

1 7. **Employment Approval and Reporting Requirements.** Respondent
2 shall obtain prior approval from the Board before commencing or continuing any employment,
3 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
4 performance evaluations and other employment related reports as a registered nurse upon request
5 of the Board.

6 Respondent shall provide a copy of this Decision to her employer and immediate
7 supervisors prior to commencement of any nursing or other health care related employment.

8 In addition to the above, Respondent shall notify the Board in writing within
9 seventy-two (72) hours after she obtains any nursing or other health care related employment.

10 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
11 terminated or separated, regardless of cause, from any nursing, or other health care related
12 employment with a full explanation of the circumstances surrounding the termination or
13 separation.

14 8. **Supervision.** Respondent shall obtain prior approval from the Board
15 regarding Respondent's level of supervision and/or collaboration before commencing or
16 continuing any employment as a registered nurse, or education and training that includes patient
17 care.

18 Respondent shall practice only under the direct supervision of a registered nurse
19 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
20 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
21 are approved.

22 Respondent's level of supervision and/or collaboration may include, but is not
23 limited to the following:

24 (a) Maximum - The individual providing supervision and/or collaboration is
25 present in the patient care area or in any other work setting at all times.

26 (b) Moderate - The individual providing supervision and/or collaboration is in
27 the patient care unit or in any other work setting at least half the hours Respondent works.

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1 (c) Minimum - The individual providing supervision and/or collaboration has
2 person-to-person communication with Respondent at least twice during each shift worked.

3 (d) Home Health Care - If Respondent is approved to work in the home health
4 care setting, the individual providing supervision and/or collaboration shall have person-to-
5 person communication with Respondent as required by the Board each work day. Respondent
6 shall maintain telephone or other telecommunication contact with the individual providing
7 supervision and/or collaboration as required by the Board during each work day. The individual
8 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
9 site visits to patients' homes visited by Respondent with or without Respondent present.

10 9. **Employment Limitations.** Respondent shall not work for a nurse's
11 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
12 traveling nurse, or for an in-house nursing pool.

13 Respondent shall not work for a licensed home health agency as a visiting nurse
14 unless the registered nursing supervision and other protections for home visits have been
15 approved by the Board. Respondent shall not work in any other registered nursing occupation
16 where home visits are required.

17 Respondent shall not work in any health care setting as a supervisor of registered
18 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
19 nurses and/or unlicensed assistive personnel on a case-by-case basis.

20 Respondent shall not work as a faculty member in an approved school of nursing
21 or as an instructor in a Board approved continuing education program.

22 Respondent shall work only on a regularly assigned, identified and predetermined
23 worksite(s) and shall not work in a float capacity.

24 If Respondent is working or intends to work in excess of 40 hours per week, the
25 Board may request documentation to determine whether there should be restrictions on the hours
26 of work.

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1 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall
2 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
3 than six months prior to the end of her probationary term.

4 Respondent shall obtain prior approval from the Board before enrolling in the
5 course(s). Respondent shall submit to the Board the original transcripts or certificates of
6 completion for the above required course(s). The Board shall return the original documents to
7 Respondent after photocopying them for its records.

8 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
9 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
10 amount of \$4,470. Respondent shall be permitted to pay these costs in a payment plan approved
11 by the Board, with payments to be completed no later than three months prior to the end of the
12 probation term.

13 If Respondent has not complied with this condition during the probationary term,
14 and Respondent has presented sufficient documentation of her good faith efforts to comply with
15 this condition, and if no other conditions have been violated, the Board, in its discretion, may
16 grant an extension of Respondent's probation period up to one year without further hearing in
17 order to comply with this condition. During the one year extension, all original conditions of
18 probation will apply.

19 12. **Violation of Probation.** If Respondent violates the conditions of her
20 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
21 aside the stay order and impose the stayed discipline (revocation) of Respondent's license.

22 If during the period of probation, an accusation or petition to revoke probation has
23 been filed against Respondent's license or the Attorney General's Office has been requested to
24 prepare an accusation or petition to revoke probation against Respondent's license, the
25 probationary period shall automatically be extended and shall not expire until the accusation or
26 petition has been acted upon by the Board.

27 13. **License Surrender.** During Respondent's term of probation, if she ceases
28 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of

1 probation, Respondent may surrender her license to the Board. The Board reserves the right to
2 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
3 take any other action deemed appropriate and reasonable under the circumstances, without
4 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
5 will no longer be subject to the conditions of probation.

6 Surrender of Respondent's license shall be considered a disciplinary action and
7 shall become a part of Respondent's license history with the Board. A registered nurse whose
8 license has been surrendered may petition the Board for reinstatement no sooner than the
9 following minimum periods from the effective date of the disciplinary decision:

10 (1) Two years for reinstatement of a license that was surrendered for any
11 reason other than a mental or physical illness; or

12 (2) One year for a license surrendered for a mental or physical illness.

13 14. **Mental Health Examination.** The Respondent shall, within 45 days of
14 the effective date of this decision, have a mental health examination including psychological
15 testing as appropriate to determine her capability to perform the duties of a registered nurse. The
16 examination will be performed by a psychiatrist, psychologist or other licensed mental health
17 practitioner approved by the Board. The examining mental health practitioner will submit a
18 written report of that assessment and recommendations to the Board. All costs are the
19 responsibility of the Respondent. Recommendations for treatment, therapy or counseling made
20 as a result of the mental health examination will be instituted and followed by the Respondent.

21 If Respondent is determined to be unable to practice safely as a registered nurse,
22 the licensed mental health care practitioner making this determination shall immediately notify
23 the Board and respondent by telephone, and the Board shall request that the Attorney General's
24 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
25 practice and may not resume practice until notified by the Board. During this period of
26 suspension, Respondent shall not engage in any practice for which a license issued by the Board
27 is required, until the Board has notified respondent that a mental health determination permits

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1 respondent to resume practice. This period of suspension will not apply to the reduction of this
2 probationary time period.

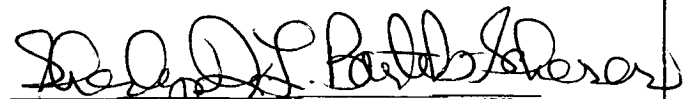
3 If the Respondent fails to have the above assessment submitted to the Board
4 within the 45-day requirement, Respondent shall immediately cease practice and shall not resume
5 practice until notified by the Board. This period of suspension will not apply to the reduction of
6 this probationary time period. The Board may waive or postpone this suspension only if
7 significant, documented evidence of mitigation is provided. Such evidence must establish good
8 faith efforts by the Respondent to obtain the assessment, and a specific date for compliance must
9 be provided. Only one such waiver or extension may be permitted.

10 15. **Therapy or Counseling Program.** Respondent, at her expense, shall
11 participate in an on-going counseling program until such time as the Board releases her from this
12 requirement and only upon the recommendation of the counselor. Written progress reports from
13 the counselor will be required at various intervals.

14 ACCEPTANCE

15 I have carefully read the above Stipulated Settlement and Disciplinary Order and
16 have fully discussed it with my attorney, Charles Quirk. I understand the stipulation and the
17 effect it will have on my Registered Nursing License. I enter into this Stipulated Settlement and
18 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
19 Decision and Order of the Board of Registered Nursing.

20 DATED: 3-24-08

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22 SHERLYNN L. BARTELS-SCHERER
23 Respondent
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1 I have read and fully discussed with Respondent Sherlynn J. L. Bartels-Scherer
2 the terms and conditions and other matters contained in the above Stipulated Settlement and
3 Disciplinary Order. I approve its form and content.

4 DATED: 3/27/08


CHARLES QUIRK
Attorney for Respondent

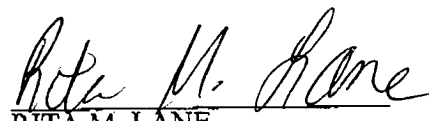
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8 ENDORSEMENT

9 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
10 submitted for consideration by the Board of Registered Nursing of the Department of Consumer
11 Affairs.

12 DATED: 4-15-08

13 EDMUND G. BROWN JR., Attorney General
of the State of California

14 LINDA K. SCHNEIDER
15 Supervising Deputy Attorney General

16 
17 RITA M. LANE
18 Deputy Attorney General

19 Attorneys for Complainant
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Exhibit A
Accusation No. 2007-130

1 BILL LOCKYER, Attorney General
of the State of California
2 MARGARET A. LAFKO
Lead Supervising Deputy Attorney General
3 RITA M. LANE, State Bar No. 171352
Deputy Attorney General
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9 Attorneys for Complainant

10 **BEFORE THE**
11 **BOARD OF REGISTERED NURSING**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. 2007-130

14 SHERLYNN J.L. BARTELS-SCHERER
11322 Brockway Street
15 El Cajon, CA 92021

A C C U S A T I O N

16 Registered Nursing License No. 583969

17 Respondent.
18

19 Complainant alleges:

20 PARTIES

21 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation
22 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
23 Department of Consumer Affairs.

24 2. On or about July 25, 2001, the Board of Registered Nursing issued
25 Registered Nursing Number 583969 to Sherlynn J. L. Bartels-Scherer (Respondent). The
26 Registered Nursing License was in full force and effect at all times relevant to the charges
27 brought herein and will expire on August 31, 2007, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 118, subdivision (b), of the Business and Professions Code ("Code") provides that the suspension, expiration, surrender or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

5. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

6. Section 490 of the Code states:

A board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

7. Section 493 of the Code states:

Notwithstanding any other provision of law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact, and the board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, and duties of the licensee in question.

As used in this section, "license" includes "certificate," "permit," "authority," and "registration."

1 8. Section 2761 of the Code states:

2 The board may take disciplinary action against a certified or licensed nurse or
3 deny an application for a certificate or license for any of the following:

4 (a) Unprofessional conduct, which includes, but is not limited to, the following:

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6 (f) Conviction of a felony or of any offense substantially related to the
7 qualifications, functions, and duties of a registered nurse, in which event the record of the
conviction shall be conclusive evidence thereof.

8 9. Section 2764 of the Code provides, in pertinent part, that the expiration of
9 a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding
10 against the licensee or to render a decision imposing discipline on the license.

11 10. Section 2811(b) of the Code provides, in pertinent part, that the Board may
12 renew an expired license at any time within eight years after the expiration.

13 11. California Code of Regulations, title 16, section 1444, states:

14 A conviction or act shall be considered to be substantially related to the
15 qualifications, functions or duties of a registered nurse if to a substantial degree it
16 evidences the present or potential unfitness of a registered nurse to practice in a
manner consistent with the public health, safety, or welfare. Such convictions or
acts shall include but not be limited to the following:

17 (a) Assaultive or abusive conduct including, but not
18 limited to, those violations listed in subdivision (d) of Penal Code
Section 11160.

19 FIRST CAUSE FOR DISCIPLINE

20 (Conviction of a Felony)

21 12. Respondent is subject to disciplinary action under Code section 2761(a) on
22 the grounds of unprofessional conduct as defined in section 2761(f) of that Code in that
23 Respondent was convicted of a felony involving corporal punishment or injury of a child as
24 described in subdivisions (a), (b) and (c) of this section. The circumstances are as follows:

25 a. On or about October 18, 2004, in the Superior Court of San Diego
26 County, in proceedings entitled *People of the State of California v. Sherlynn Scherer*,
27 Case No. CD184605, Respondent pled guilty to Count Two, Penal Code section 273d
28 (Corporal Punishment or Injury of a Child), a felony.

1 b. On or about January 19, 2005, Respondent was sentenced to the
2 custody of the Sheriff for 180 days and placed on formal probation for 3 years with terms
3 and conditions including: participate in work furlough program; pay a fine of \$239.00;
4 pay a restitution fee of \$200.00; and obey all laws and ordinances.

5 c. The facts and circumstances surrounding this offense are that on or
6 about January 30, 2004, San Diego Sheriff's investigators received a call from a Child
7 Protective Services Worker concerning a case of physical abuse on J.S., an eight-year-old
8 boy. J.S. was repeatedly spanked across his buttocks, by Respondent, his step-mother,
9 with a 2 ½ foot long PVC pipe as a means to punish him. Respondent has hit J.S. with a
10 PVC pipe since J.S. was four years old. As a result of Respondent repeatedly hitting J.S.
11 with a PVC pipe, J.S. has been left with a permanent horizontal indentation over both
12 buttocks surrounded by a hard lumpy mass.

13 SECOND CAUSE FOR DISCIPLINE

14 (Conviction of a Crime Substantially Related to the Duties of a Registered Nurse)

15 13. Respondent is subject to disciplinary action under Code sections 490 and
16 2761(a) and California Code of Regulations, title 16, section 1444 on the grounds of
17 unprofessional conduct as defined in section 2761(f) of that Code in that Respondent was
18 convicted of a crime substantially related to the qualifications, functions and duties of a
19 registered nurse as set forth in paragraph 12 above, which is realleged and incorporated herein by
20 reference.

21 THIRD CAUSE FOR DISCIPLINE

22 (Unprofessional Conduct)

23 14. Respondent is subject to disciplinary action for unprofessional conduct
24 under section 2761(a) in that she inflicted corporal punishment and injury to a child as set forth
25 above in paragraph 12 above, which is realleged and incorporated herein by reference.

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1 PRAYER


2 WHEREFORE, Complainant requests that a hearing be held on the matters herein
3 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nursing Number 583969, issued to
5 Sherlynn J. L. Bartels-Scherer.

6 2. Ordering Sherlynn J. L. Bartels-Scherer to pay the Board of Registered
7 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to
8 Business and Professions Code section 125.3; and

9 3. Taking such other and further action as deemed necessary and proper.

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11 DATED: 11/2/06

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13 
14 RUTH ANN TERRY, M.P.H., R.N.
15 Executive Officer
16 Board of Registered Nursing
17 Department of Consumer Affairs
18 State of California
19 Complainant
20